

Mailing Location:
John-Wesley: Barry-Jr.
c/o General Post Office Box 103
Pemberton, New Jersey [Zip Exempt]
(Outside the United States)

CLERK
U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
RECEIVED

2020 OCT 26 A 10:45

IN THE UNITED STATES COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

V.

JOHN W. BARRY, JR.,

Defendant.

)
)
) Cr No. 20-744(RBK)
)
)
)

) **Common Law Abatement**
)
)

)
)
) October 26, 2020
)
)
)

TO THE CLERK OF THE COURT:

Re: In the matter of: A WARRANT / INDICTMENT/ CRIMINAL COMPLAINT: Cr
No. 20-744(RBK) dated 2nd day of September, 2020.

Comes Now Barry, John, Wesley, Jr., a Private American national, grateful to
Almighty God for my Liberty, and humbly extend Greetings and Salutations to you
by Visitation, to exercise Ministerial Powers in this Matter, to return your papers,
which papers were received, but not accepted.

This is a Common Law Abatement issued pursuant to Common Law rules
applicable to such cases. STUART M. GOLDBERG, Acting Deputy Assistant
Attorney General, United States Department of Justice, Tax Division; JOHN N.
KANE, JR., Assistant Chief, United States Department of Justice, Tax Division,
Northern Criminal Enforcement Section; SEAN M. GREEN, Trial Attorney, United
States Department of Justice, Tax Division, Northern Criminal Enforcement;
MICHAEL R. SHERWIN, Acting United States Attorney for the District of
Columbia; CRAIG CARPENITO, United States Attorney for the District of New

Jersey; GINA AMORIELLO, ESQ., are all acting as Alien Enemy Agents of a statutorily created, foreign *de facto* corporation, known as THE UNITED STATES OF AMERICA.

Said Agents are imposing provisions of a contract counter to public morals, in the Nature of a *Praemunire*, and as belligerents are in violation of International Law and The Law of Nations. Part One of this matter shall be known as **Common Law Abatement** and contains the following documents titled:

I. Common Law Abatement; and,

II. Verification

**Chapter one:
Return of Papers and Averments**

Please find enclosed the following returned papers:

ORDER APPROVING Magistrate's RECOMMENDATION AND
ENFORCING INTERNAL REVENUE ARREST
WARRANT/INDICTMENT dated September 2, 2020:

All papers mentioned above in red letters were received, but are not accepted. These items are refused for cause without dishonor and without recourse to me, and are returned, herewith, because they are irregular and unauthorized, based upon the following to wit:

Returned papers contain the following Marks of Fraud:

First:

Mark:

Your papers do not have upon their face My full Christian Appellation in upper and lower case letters nor do the additions in the compellation upon the items, herewith returned, apply to me; and,

Second:

Mark:

Your charging papers allege violations of a law, foreign to My
Venue, which, no Oath, Promise, or Law attaches Me thereto; and,

Third:

Mark:

Your office is not established in the New Jersey state Constitution; and, Your
Papers depict irregular and abusive process, and lack jurisdictional facts
necessary to place or bring Me within your venue.

Fourth:

Mark:

Your charging papers have no foundation in Law; for the reason that
they are not from an office recognized by the People or General Laws
of New Jersey state; and,

Fifth:

Mark:

Your papers lack jurisdictional facts necessary to place or bring Me
within your venue; and,

Sixth:

Mark:

Your charging papers are unintelligible to Me; based upon the
following: They are not written in Proper English; being such, they
fail to apprise Me of the Nature of any matter alleged, if in fact your
allegations have any foundations: and,

Seventh:

Mark:

Your charging papers fail to affirmatively show, upon their face,
lawful authority for your presence in My Venue; and,

and any attempt to identify me by any name other than the name which I have given Notice of to this Court and the Agents instigating the action presently before it under the criminal case Docket No. 20-744 is a commission of fraud and liable for monetary damages in the amount of \$2500 per minute, as per the Treszvant vs. City of Tampa case (741 F. 2d 336). I only voluntarily agree to be subject to the three following jurisprudences: Natural Law, Common Law and Equity;

Whereas, If you wish to continue in this matter, you will need to do the following:

1. Use my correct name as designated above, *i.e.*, last name, first middle, all in lower case letters.
2. Make a clear and concise statement informing me whether this is under Equity or Common Law. I repudiate / reject your statutes and statutory jurisdiction does not pertain to me, the natural man on the land and living Soul, and is therefore prohibited and I do not consent to it. and,

Therefore, the returned papers contain fraudulent and scandalous matter of a fictitious person all to the harm of the natural man on the land and living Soul, Barry, John Wesley, Jr.

Now, therefore:

I am returning all of your papers, and shall, henceforth, exercise My Right of Avoidance; for the reason: they are irregular, unauthorized, misnomer, defective upon their face and utterly void, and are, herewith, abated as a public nuisance. There appear to be no factors which would warrant adjustment of the Abatement, due to a Conflict of Law.

**Chapter three:
Ordering Clauses**

"Every direction of a Court or judge, made or entered in writing, and not included in a judgment, is denominated an order."

Said government Agents named herein, through the administrative office of the Clerk of the Court, shall abate the matter of returned papers, or file a written response, within thirty (30) days of the release of this Common Law Abatement, showing why the abatement should not be imposed. Any and all written responses must include a detailed factual statement and supporting documentation.

Failure to respond in the time prescribed, herein, will result in a Default and Default Judgment and may subject Defendants to Civil and/or Criminal liabilities pursuant to International Law and the Law of Nations.

All remittance of this instant matter should be marked with the Sheriff's case number, and mailed to Barry, John Wesley, Jr. to the above listed location on the title caption page.

WHEREFORE:

Until this fatal flaw of misnomer under the Common Law is resolved your Agency Representatives **MUST** do the following, to wit:

First:

Obtain proper Due Process issued, under seal, from a Court appertaining to a New Jersey Judicial Department; and,

Second:

That said process is to be based on sworn Oath or Affirmation from a competent Witness or Damaged Victim with personal firsthand knowledge of the harm imposed upon them personally; and,

Third:

That said process bear the full proper English Christian Appellation in upper and lower case letters, and in addition thereto, the true *in personam sui juris* legal status designation of the natural man on the land and living Soul, Barry, John Wesley, Jr. and, such process must be handled and personally served upon said natural man by the New Jersey state Burlington county Sheriff.

Suffice it to say that because there is an existing abatable action presently before the Court, the instigators of such action must cure the fatally flawed service of process done under misnomer and misapplication of law. Until such fatal flaw is resolved, there is no need for Barry, John Wesley, Jr. to communicate further with the Court or the government Agents responsible for the defective process unless Process is lawfully served in accordance with his proper legal status and applicable law relating to that status. As a Private American national, Barry, John Wesley, Jr. will henceforth maintain his Right of Privacy and exercise the Right of Avoidance and stand upon the grounds set out above.

Sealed by the voluntary act of My own hand on this thirteenth day of the tenth month in the year of Our Lord and Savior Jesus, the Christ, Two Thousand Twenty, *Anno Domini*,

**I have the Honor of Being Private and
an American national**

Sign Manual

Attachments Returned: Original papers and verified copies of:

CRIMINAL WARRANT/INDICTMENT/COMPLAINT ;

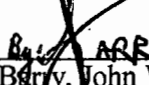
Verification by Asseveration

<u>New Jersey state, the United States of America</u>	}
	}ss:
<u>Burlington County</u>	}

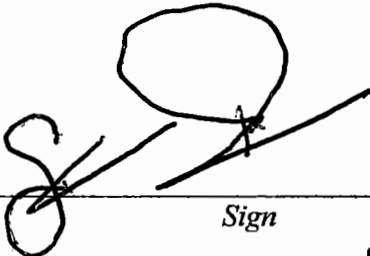
In Witness Whereof, Knowing the Law of bearing false witness before Almighty God and Men, I solemnly aver, that I have read the annexed Common Law Abatement and know the contents thereof; that the same is true of My own knowledge, except to the matters which are therein stated on My information and belief, and as to those matters, I know them to be true.

Sealed by the voluntary act of My own hand on this 26th day of the 10th month, in the year two thousand twenty.

Sign Manual,

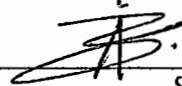

Barry, John Wesley, Jr.
In propria persona, sui juris
Private American national

Witnesses




Sign
Shawn Kennedy

Print



Sign
Angel Barry

Print



Sign
John Barry Sr.


Print

Affidavit of Service

New Jersey -state)
)
 Burlington -county)

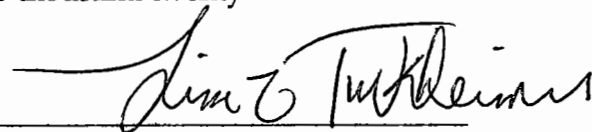
I, Marquis Tabb hereby certify that: I am over eighteen years of age, I am not personally involved in the case which is the subject matter of the abatement process and further that a true, correct and complete copy of the above **Default of Common Law abatement** was served by me on **October 26th** two thousand twenty to the entity /entities listed below at:

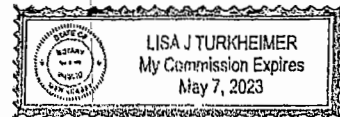
<p>UNITED STATES OF AMERICA A Federal Corporation, Per 28 U.S.C. § 3002(A)(15) 50 Walnut Street, #4015 Newark, New Jersey 07102</p>	<p>STUART M. GOLDBERG Deputy Assistant Attorney General U.S. Department of Justice, Tax Division 950 Pennsylvania Avenue, NW Washington, D.C. 20530-0001</p>
<p>William T. Walsh, Clerk of Court U.S. District Court for the District of New Jersey 4th & Cooper Streets Room 1050 Camden, New Jersey 08101</p>	<p>JOHN N. KANE, JR., Assistant Chief U.S. Department of Justice, Tax Division Northern Criminal Enforcement Section 950 Pennsylvania Avenue, NW Washington, D.C. 20530-0001</p>
<p>SEAN M. GREEN, Trial Attorney U.S. Department of Justice, Tax Division Northern Criminal Enforcement 950 Pennsylvania Avenue, NW Washington, D.C. 20530-0001</p>	<p>MICHAEL R. SHERWIN Acting United States Attorney for the District of Columbia 950 Pennsylvania Avenue, NW Washington, D.C. 20530-0001</p>
<p>CRAIG CARPENITO U.S. Attorney for the District of New Jersey 970 Broad Street, #806 Newark, New Jersey 07102</p>	<p>GINA AMORIELLO, ESQ. 1515 Market Street Philadelphia, PA 19102</p>


Marquis Tabb

New Jersey -state)
)
Burlington -county)

Sworn and subscribed before me this 26th day of October 2020
two thousand twenty


Notary



ENCLOSURE

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the
District of New Jersey

United States of America

v.

John Barry Jr.

Defendant

Case No. 20-744 (RBK)

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay.

(name of person to be arrested) John Barry Jr.

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☐ Complaint
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Conspiracy - 18 U.S.C. § 371 - (1 count)
 Aiding and Assisting False Tax Returns - 26 U.S.C. § 7206(2) (11 counts)
 Obstruction of the IRS - 26 U.S.C. § 7212(a)
 Failure to File an Income Tax Return - 26 U.S.C. § 7203

Date: 09/02/2020

City and state: Camden, New Jersey

Issuing officer's signature

KAREN M. WILLIAMS
UNITED STATES MAGISTRATE JUDGE

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____

Date: _____

Arresting officer's signature

Printed name and title